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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Review Application No. 2/2025
In
Original Application No. 806/2024

IN THE MATTER OF:

Prabhjot Sodhi

...Petitioner

Vs

State of Haryana


...Respondents

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Filed By:

Date:03.03.2025



Rahul Khurana, Advocate
Counsel for Respondent No.2
09811894060
rkhuranalegal@gmail.com

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PRINCIPAL BENCH, NEW DELHI**

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**REPLY OF THE DEPUTY COMMISSIONER, Palwal IN
COMPLIANCE OF ORDER DATED 20.02.2025**

MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal vide order dated 20.02.2025 has taken note of the fact that vide order dated 23.08.2024, a Committee comprising of District Magistrate, Palwal and Haryana State Pollution Control Board was directed to examine the matter and if any violation of environmental laws is found, to take appropriate action in accordance with law, after giving opportunity of hearing to concerned stakeholders within two months, however, no report was filed within time granted by this Hon'ble Tribunal. Therefore, this Hon'ble Tribunal was please to direct that District Magistrate, Palwal and Member Secretary, Haryana State Pollution Control Board shall appear before Tribunal on 04.03.2025 to show cause as to why action be not taken for not complying Tribunal's order, by initiating prosecution under Section 26 of NGT Act, 2010.

2. That at the outset, its humbly submitted that answering noticee has highest regard for the directions passed by this Hon'ble Tribunal. It is most respectfully submitted that the undersigned regrets the delay in submitting the report which has been filed on 28.02.2025 after passing

of closure order dated 19.02.2025 and implementation of the same by the Haryana State Pollution Control Board on 24.02.2025. The steps taken after receiving of the order dated 23.08.2024 as mentioned in succeeding paragraphs.

3. That it is humbly submitted that no communication regarding order dated 23.08.2024 received from this Hon'ble Tribunal at official email id (dcpwl@hry.nic.in) of answering respondent as updated on official website also. However, intimation of order dated 23.08.2024 passed by this Hon'ble Tribunal was received through the Regional Office, HSPCB at Palwalvide letter dated 16.09.2024. After receiving said letter, concerned SDM was deputed as nominee of the answering respondent and this fact was intimated vide letter dated 09.10.2024 to HSPCB. It is worthwhile to mention here that Haryana State Legislative Assembly Elections were scheduled for 05.10.2024 and results were to be declared on 08.10.2024. Due to allocation of District Administration officials on various tasks in order to ensure smooth and fair election proceedings, nominee could not be deputed before 09.10.2024. Subsequent thereto, joint committee ought to inspect and necessary action should have been taken by HSPCB as per outcome of the visit of unit in question, after following due procedure of law, without any delay.
4. That it is humbly submitted that State Pollution Control Board has to follow its own procedure including taking samples from outlet of ETP, their analysis, taking consequent action i.e. issuing Show Cause Notice, consideration of reply and passing appropriate order from its competent authority etc.. This entire process has taken considerable time on the part of State Pollution Control Board and report of joint committee could be filed on 28.02.2025 after passing of closure

order dated 19.02.2025 by HSPCB and implementation thereof on 24.02.2025.

5. That answering respondent has taken up this issue of delay in submitting the report with officials at office of answering respondent including SDMs and at Regional Office, HSPCB, Palwal with clear instructions to comply the direction of this Hon'ble Tribunal in letter and spirit in time bound manner.
6. That delay in submitting the report was neither willful nor intentional but due to the reasons as mention above. It is undertaken to be more careful in future for timely compliance of the directions passed by this Hon'ble Tribunal.

In view of the above stated facts and circumstances mentioned herein above, it is humbly prayed that delay caused in submission of the report in compliance of order dated 23.08.2024 may kindly be condoned and answering noticee be discharged from the show cause notice issued by this Hon'ble Tribunal.

Date: 03.03.2025
Place: Palwal

Harish Kumar Vashishth, IAS
Deputy Commissioner, Palwal

Attested as Identified

Executive Magistrate

PALWAL 3-3-25

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AFFIDAVIT

I, Harish Kumar Vashishth, IAS, Deputy Commissioner, Palwal, aged about 47 years do hereby solemnly affirm and state as under:-

1. That in the aforesaid official capacity, I am well conversant with the facts and circumstances of the case, therefore, I am competent to swear this affidavit.
2. That I have gone through the contents of accompanying reply which has been drafted under my instructions.

HB

Deponent

Verification:

Verified at Palwal on 3rd day of March, 2025 that the contents of affidavit are true and correct to my knowledge and on the bases of information derived from the official record which I believe to be true and no material fact has been concealed therein.

HB

Deponent

Attested as Identified

HB
Executive Magistrate
PALWAL 3-3-25